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MINUTES OF THE ZONING BOARD
PUBLIC HEARING & SPECIAL MEETING,
HELD THURSDAY, FEBRUARY 12, 2015, 7:00 P.M.,
4TH FLOOR, CAFETERIA, GOVERNMENT CENTER
BUILDING, 888 WASHINGTON BLVD,
STAMFORD, CT 06901

Present for the Board: Thomas Mills, Rosanne McManus, William Morris, Barry Michelson, and David Stein. Present for staff: Norman Cole, Land Use Bureau Chief, and David Killeen, Associate Planner.

Mr. Mills called the meeting to order at 7:14 pm.

Motion by Ms. McManus to take the agenda out of order, seconded by Mr. Michelson and the motion was approved (Mills, Morris, McManus, Michelson and Stein).

REGULAR MEETING

PENDING APPLICATIONS:

1. **CSPR-947 – BUCKLEY, 40 Wallacks Drive**, to repair 141' of retaining wall and 195' of stone revetment considered emergency and necessary to mitigate further damages to upland property and structures damaged in Hurricane Sandy in October 2012. Efforts being coordinated with CT DEEP.

After a presentation of this application by Mr. Killeen, Mr. Stein moved to approve the Coastal Site Plan with conditions stated in the EPB staff report, seconded by Ms. McManus and the motion was approved 5:0 (Mills, Morris, McManus, Michelson and Stein).

Motion was made by Ms. McManus to return to the regular agenda.

PUBLIC HEARING

1. **Application 214-36 – RICHARD W. REDNISS (22 FIRST CORP), Text change**, to Amend Article III, Section 10G by allowing historic and nonconforming buildings in R-10 districts for religious and/or educational purposes existing in excess of forty (40) years through Special Exception approval by the Zoning Board provided a) no change to the exterior other than code compliance or customary repair for handicapped persons, b) parking accommodation, c) connection to City sanitary sewer system and d) ground mounted mechanical equipment on corner lots not less than 10 feet from property line (*rescheduled from January 26, 2015*).
2. **Application 214-37 – HUBBARD MANSION, LLC, 111 West North Street, Special Exception, Final Site & Architectural Plans**, requesting approval of Special Exception and Final Site and Architectural Plans to reuse a nonconforming 3-story, 24,000 sf

building and 1,800 sf outbuilding to provide educational services and student housing while preserving historic elements without creating additional floor area (*rescheduled from January 26, 2015*).

Mr. Mills opened the Public Hearing on these two applications and read a description of each into the record.

Mr. Michelson read the Planning Board memorandum of approval into the record.

Presentation was made by Richard Redniss. Mr. Redniss explained that the mansion was initially constructed as the Hubbard House, a residence, at the corner of Hubbard Avenue and West North Street and noted it was later used as a school, a day care and a dormitory. Mr. Redniss circulated a clean copy of the proposed text change with suggested changes. He then discussed the proposed use and the need for the text change. He also showed the existing and proposed site plan. The biggest change is the addition of a new driveway and some additional parking spaces and parallel parking. He has worked closely with the neighborhood and, based on the meetings with neighbors and Staff and the Planning Board, text revisions were made. Additionally, a series of draft conditions were developed and included in correspondence from Mr. Redniss dated January 29, 2015, a copy of which he handed out for review by the Zoning Board. Suggested conditions included limitations on the number of students, hours of operation, and the types of uses that would be allowed. He focused on how those uses would control the impact on parking.

Mr. Stein asked if this text change should be limited only to properties that had been used for religious or educational purposes? Mr. Redniss responded that they were open to the language being broadened.

Mr. Mills asked if the Zoning Board could provide input on the future treatment of the mosaics. Mr. Redniss said yes.

Ms. McManus asked if there was a previous curb cut on North Street. Mr. Redniss said there was but at a different location.

Members of the public were offered the opportunity to speak.

Michael de Milt spoke in favor of this application on behalf of the Hubbard Heights Neighborhood Association, noting that this was a good reuse of the property, especially with the preservation of the Mansion. Previous uses proposed could have been too intensive.

Mr. Mills asked if the Neighborhood Association took a vote on this proposal. The answer was no, but none of the neighbors have shown up in opposition.

Wes Haynes, Historic Neighborhood Preservation (HNP) Executive Director, spoke in favor of this application, commenting that HNP has been concerned about the preservation of the Mansion for many years. Mr. Haynes feels this is a creative way to achieve preservation. He agrees with Mr. Stein that the text should be broadened.

Elena Kalman, Architect, introduced herself as the Architect working on this project and explained she was available for questions.

Mr. Michelson asked about art studio space. He wanted to see more flexibility.

Ms. McManus said she wanted the condition on historic preservation to be stronger. Mr. Stein asked if a façade easement should be placed on this approval.

Mr. Cole noted that the Secretary of the Interior's Standards for Rehabilitation are referenced in the draft conditions and that should be sufficient to assure preservation since the condition would be placed on the Land Records.

Mr. Mills asked if the Applicant was willing to meet the conditions of approval that were recommended by the Historic Preservation Advisory Commission. Mr. Redniss said there was no problem with complying to those conditions. Mr. Stein suggested HPAC conditions be incorporated into the Zoning Board conditions of approval.

Mr. Redniss, in closing, asked if the Board would consider acting on this application as soon as possible.

Mr. Mills closed the public hearing on these two applications.

3. **Application 214-38 – RICHARD W. REDNISS (22 First Corp), Text Change**, amend Article III, Section 9-C to add paragraph 3.e) school uses – public, non-public, secretarial and vocational and vocational and colleges as permitted uses in the IP-D (Design Industrial Park District) (*rescheduled from January 26, 2015*).

Mr. Mills opened the Public Hearing on this application and read a description of it into the record. Mr. Michelson read the Planning Board memorandum of approval into the record.

Mr. Redniss provided an overview of the proposed text change and explained that it would allow for the conversion of vacant office space to educational uses as described in the proposed text. Mr. Redniss addressed the Staff Report by: 1) reviewing revisions to the proposed text as requested by staff and 2) presenting a bar chart that illustrated the peak traffic anticipated for each component of the school that is proposed for this location (Fusion).

Mr. Michelson asked if it was the intent of the Applicant to occupy the whole complex with this proposed use? Mr. Redniss responded that the Applicant is not proposing to occupy the whole complex at this time, but he noted that, under the proposed regulation, that could theoretically happen.

Members of the public were offered the opportunity to speak. No one spoke in opposition or in favor.

Mr. Mills closed this public hearing.

Motion by Ms. McManus to take the agenda out of order, seconded by Mr. Stein and the motion was approved (Mills, Morris, McManus, Michelson and Stein).

REGULAR MEETING

PENDING APPLICATIONS:

2. **CSPR-958 – DOSHI, 142 Downs Avenue**, to re-construct an open-aired fence demolished during Hurricane Sandy and to re-construct an existing deck on 0.2946 acres in an R-10 coastal flood area.

After a presentation of this application by Mr. Killeen, Mr. Morris moved to approve the Coastal Site Plan with conditions contained in the EPB Staff Report, seconded by Ms. McManus and the motion was approved 5:0 (Mills, Morris, McManus, Michelson and Stein).

Motion by Ms. McManus to return to the regular order of the agenda, seconded by Mr. Morris and the motion was approved (Mills, Morris, McManus, Michelson and Stein).

PUBLIC HEARING

1. **Application 214-33 – HIGH RIDGE REAL ESTATE OWNER, LLC, Text change**, to Amend Article II, Section 3A, Definition 98.1 (Surgery Center/Out Patient) to clarify the term “gross floor area” and that authorization of special exceptions for said use exceeding 15, 000 s.f. rests with the Zoning Board; amend Article III, Section 9, BBB.2 to allow Surgery Center/Out Patient as a permitted use in the C-D District with a limitation of six (6) operating rooms/surgical suites; amend Section 9, BBB.3 to exempt emergency generators not exceeding eight feet in height, setback a minimum of 23 feet from the property line and adequately screened, from the calculation of non-porous surface area coverage, and amend Section 9 BBB.3 to require that emergency generators in the C-D District have a minimum 23 feet setback from the boundary line of a residential district (*rescheduled from January 26, 2015*).
2. **Application 214-34 – HIGH RIDGE REAL ESTATE OWNER, LLC, 0 Turn of River Road, Final Site & Architectural Plans**, Applicant requests approval of Final Site plans for change of use from general office use of 14, 147 s.f. to a Surgery Center/Out Patient facility on the third floor of Building 5 and to install an emergency generator with landscaped screening in a C-D district (*rescheduled from January 26, 2015*).

Mr. Stein recused himself from participating in this Public Hearing.

Mr. Mills opened the continued Public Hearing on these two applications and read a description of each into the record.

Board discussion focused on several aspects of the history of this particular application.

Mr. Michelson commented that the Charter language doesn't allow for a second opinion by the Planning Board.

Attorney Ted O'Hanlan spoke on behalf of this application, noting that this application was presented to the Zoning Board in the Public Hearing of December 16, 2014, the same night the Planning Board adopted its new Master Plan. Attorney O'Hanlan reported that case law has required that Planning Board reports, at a minimum, common on the consistency of a proposal with the Master Plan. Since the Planning Board had not done that and, since the Planning Board had recommended denial without prejudice, Attorney O'Hanlan wanted the opportunity to respond to their questions and to request that they consider this proposal in relation to the Master Plan.

Mr. Mills asked when the Zoning Board authorized the Applicant to return to the Planning Board for a second opinion, the answer was that the Zoning Board did not authorize the Applicant to go back to the Planning Board nor were they asked for that authorization. The Zoning Board only approved the continuation of the January 12, 2015 Public Hearing to January 29, 2015. Staff had communicated to the Applicant that this was granted and they didn't feel it was necessary to attend the January 12 meeting to discuss this continuation.

Mr. Mills said the reason he was perplexed is that he's not even certain what the voting requirement is for the Zoning Board's current vote on this application. He wondered if the Applicant went back to the Planning Board because they were uncertain if they could get a super majority vote by the Zoning Board.

Attorney O'Hanlan responded that the Planning Board did not deny the application but recommended denial without prejudice since they had unanswered questions. He wanted the opportunity to respond to their questions.

Mr. Mills asked if the Applicant had raised questions of Corporate Counsel directly and not through the Zoning Board. Mr. Cole responded that Staff discussed this item with the Law Department because these were questions about whether this constituted a new application, which is typical for the Staff to do whenever there is a matter of this type coming before the Board. When the Planning Board reversed their decision on January 210, 2015, Staff again consulted with the Law Department since they anticipated the Zoning Board would have questions about the legality of the Planning Board action. Mr. Killeen clarified that the Zoning Board was not asked to authorize the Applicant to go back to the Planning Board.

Mr. Michelson questioned whether the City Charter gave the Planning Board the authority to consider their report a second time. He noted that the Charter does not require that a report of the Planning Board include a determination of consistency with the Master Plan. Attorney O'Hanlan pointed out that the Charter, at Section C1-40-2 is a Savings Clause that references a Charter provision being carried out in harmony with State Statutes.

Mr. Cole said that, based on the input of the Law Department, it appears that only three (3) votes are required to approve these applications.

Mr. Michelson then read the Planning Board memorandum of approval into the record.

Attorney O'Hanlan reported that a study had been completed by independent planner Hiram Peck and that it had been submitted into the record. Mr. Peck was available to present that report.

Mr. Andrew Joseph, Vice-President for George Comfort and Sons, spoke as their representative as applicant and provided a brief overview of their current proposal. He stated that the applicant is mainly interested in leasing commercial space and that they didn't realize their application would result in an anti-competitive dispute with Stamford Hospital.

Mr. Peck then summarized the results of his study. He described this application as minor in character and the use would not be widespread in Stamford as a result of the modified language that was currently under consideration. He stated that the Zoning Board continues to be in control under the revised language. He explained that the proposed text change, in his opinion, did not constitute spot zoning, and it is consistent with the purposes of the Master Plan and the Zoning Regulations.

Mr. Morris asked if the proposed language gives the applicant the ability to control the market by limiting the total number of surgical suites allowed in the C-D District? Does this constitute spot zoning? Mr. Peck said no, because the use would be allowed in multiple locations.

Mr. Mills asked if there was anyone that could tell the Zoning Board what the need is in the State (and Stamford) for this use? Mr. Peck indicated that this is reviewed by the State on a case by case basis.

Mr. Mills stated that the concern of the Board is not about anti-competition, noting that the requested use is already permitted in other Districts throughout the City. Attorney O'Hanlan commented that the number six was selected in order to allow additional uses to be permitted, but still giving the Zoning Board the ability to control the total number allowed. He circulated materials from the State of Connecticut that demonstrated it was possible for up to two additional users to locate in the C-D District under the existing regulation. More than six suites would require a text change that would have to be approved by the Zoning Board.

There being no additional questions, Mr. Mills asked if there was anyone from the public that wanted to speak.

Attorney William Hennessey came forward, asking how much time the Board was willing to spend on this matter this evening. After some discussion, it was decided that the Public Hearing should be continued to February 23 to enable the opposition to present their case. Since Chairman Mills won't be present on the 23rd, he asked that he be given the opportunity to review the tape of that meeting and be allowed to ask questions on March 2nd, at which time the hearing could be concluded.

Mr. Mills continued these public hearings to February 23, 2015 at 7:00pm in the 4th floor cafeteria, Stamford Government Center

REGULAR MEETING

APPROVAL OF MINUTES:

Minutes for Approval: January 12, 2015

No action taken.

PENDING APPLICATIONS:

3. Application 214-35 – THE HOUSING AUTHORITY OF THE CITY OF STAMFORD (d/b/a CHARTER OAK COMMUNITIES), Stillwater Avenue and Merrell Avenue, Final Site & Architectural Plans

After a discussion of the conditions by Mr. Killeen, motion was made by Ms. McManus to approve the application subject to the conditions as discussed, seconded by Mr. Morris and the motion was approved 5:0 (Mills, Morris, McManus, Michelson and Stein). The conditions on the Zoning Certificate will read as follows:

WHEREAS, the Zoning Board makes the following special findings:

- *The Site & Architectural Plan & Requested Uses, as herein modified, conform to the standards, goals, purposes and specific objectives of the R-MF District and standards contained in the Zoning Regulations and the Stamford Master Plan as well as all of the standards of Sections 7.2 of the Stamford Zoning Regulations.*
- *The application for final approval conforms to the conditions of approval contained in the General Development Plan for this project.*
- *The proposed development with establish appropriate uses, utilize a sensitive design and include a pedestrian-friendly streetscape environment that will help to enliven this important street corner.*

NOW THEREFORE BE IT RESOLVED that the Zoning Board approves Application 214-35 requesting Final Site and Architectural Plan approval, subject to the following conditions:

SITE-SPECIFIC CONDITIONS:

- 1) *All work shall substantially conform to the above referenced Building and Site Plans (to be inserted) unless otherwise approved by the Zoning Board or, for minor modifications, Zoning Board staff.*
- 2) *Prior to the issuance of a Building Permit, the Applicants shall submit final site and architectural plans, landscaping and streetscape plans, including specifications for exterior architectural designs, materials, samples and colors, for final approval by*

Zoning Board staff, to ensure consistency with the approved plans, architectural elevations, and illustrative renderings constituting the record of the application.

- 3) Prior to the issuance of a Building Permit, sewer, streetscape, and storm drainage plans shall be submitted and subject to final review of design specification and construction by the Engineering Bureau; and address comments of Susan Kiskin, P.E. in her memorandum dated January 9, 2015.*
- 4) Prior to issuance of a Building Permit, applicant shall obtain a discharge permit from the Stamford Water Pollution Control Authority and shall provide information requested in the December 1, 2014 memorandum from Prakash Chakravarti, P.E., Supervising Engineer, and Stephen W. Pietrzyk, Regulatory Compliance Officer.*
- 5) Prior to the issuance of a Certificate of Occupancy, the Applicants shall record on the Stamford Land Records an Affordability Plan, in accordance with the standards of Section 7-R and Section 7.4 of the Zoning Regulations, demonstrating compliance with the requirements of Section 7-R (“approximately one half of the dwelling units will be made available to households which meet federal public housing or state assisted housing income eligibility requirements for the term required by the Hope IV or similar program”) and permanently establishing on-site no less than twelve (12) BMR units, subject to Zoning Board staff approval.*
- 6) All commercial and residential signage for this property is subject to administrative review by the Zoning Board Staff. Commercial signage shall be in compliance with the requirements of the C-N District (Section 13.F) and Residential Signage shall be limited to those allowed in the Residential Districts (Section 13.E) but shall not be placed above the first floor, unless otherwise approved by the Zoning Board.*
- 7) Commercial use will be allowed for medical office and other business uses; but no more than 90% of the floor area may be used for retail or service uses without further approval of the Zoning Board ,*
- 8) Final approval of the Property Management Plan by Zoning Board staff prior to the issuance of a final Certificate of Occupancy, to include a protocol for screening tenants and establishing appropriate lease provisions.*

STANDARD CONDITIONS:

- 9) Applicant shall make best efforts to keep the property in good condition up until and during the construction process. Existing lawn areas shall be mowed and maintained and construction debris shall be kept to a reasonable minimum.*
- 10) Zoning Board staff shall review and approve any significant mechanical equipment installed within the view of any public street and not depicted on the Building and Site Plans submitted with the application.*

- 11) *A Street Opening Permit shall be required for any work within a public street right-of-way.*
- 12) *Lighting plans are approved, subject to review of final construction documents by the Zoning Board staff to confirm that no objectionable trespass lighting will occur.*
- 13) *Prior to the issuance of a Building Permit, the Applicants shall submit a Construction Staging and Management Plan to ensure safe, adequate and convenient vehicular traffic circulation and operations, pedestrian circulation and protection of environmental quality through the mitigation of noise, dust, fumes and debris subject to final approval of the Land Use Bureau Chief or his designee. Such Construction Management Plan shall address, but not be limited to, reasonable restrictions on times when deliveries can be made to the job site, measures to control dust, staging areas for materials and construction worker parking as well as temporary measures requiring the timely removal of construction debris and/or litter from the jobsite and provide for.*
- 14) *Prior to the issuance of a Building Permit, sedimentation and erosion control plans shall be submitted and subject to review by the Environmental Protection Board staff.*
- 15) *Prior to the issuance of a Certificate of Occupancy, the Applicant shall submit a Trash Management Plan and Snow Removal Plan, subject to final approval by Zoning Board staff.*
- 16) *Prior to issuance of a Certificate of Occupancy, the Applicant shall submit a Drainage Maintenance Agreement and Landscape Maintenance Agreement, subject to approval by the Environmental Protection Board staff.*
- 17) *The Applicant shall have one year from the effective date of this approval within which to secure a Building Permit, subject to Zoning Board approval of three extensions, each not more than one year, upon timely application and good cause shown.*

4. Application 214-36 – RICHARD W. REDNISS (22 FIRST CORP), Text change

After some discussion, with input from Mr. Cole, the Zoning Board felt comfortable acting on the proposed text change, realizing it would probably have limited applicability to other properties in Stamford, but it would be important to help preserve the subject property.

Motion was made by Mr. Michelson to approve the proposed text change, as revised to January 23, 2015, and seconded by Mr. Morris, and the motion was approved 5:0 (Mills, Morris, McManus, Michelson and Stein).

The text changes will read as follows:

TO AMEND Article II, Section 4-A-2.3 by adding new item (e) to read as follows:

- e. Dormitory for elementary school through high school aged students and incidental uses, in R-10 and authorized pursuant to Section 10-G only.*

TO AMEND Article IV, Section 10-G to read as follows:

G –*In order to preserve historic and legally nonconforming buildings that contribute to the character of the neighborhood, building(s) in the R-10 District originally designed and used for religious and/or educational purposes for a period in excess of forty (40) years may be used for dormitories serving children high school aged or younger with accessory onsite staff living quarters pursuant to a Special Exception granted by the Zoning Board. Incidental uses may also be allowed, such as (1) school or educational uses (2) tutoring and extra-curricular classroom and lecture areas, and (3) art studio space, and other supplemental uses provided that:*

- (a) No structural change is made to the exterior of the building except as is necessary to provide access for handicapped persons, for code compliance, or for customary repair and maintenance; and no increase in legally nonconforming floor area.*
- (b) Where the existing number and design of parking spaces and access thereto is legally nonconforming, the Zoning Board may (1) allow such nonconformities to remain, and/or (2) approve an alternate design that decreases the nonconformities and where the Zoning Board makes a determination that the proposed plan provides for adequate parking. Drive aisles serving fifteen (15) or fewer spaces may be not less than ten (10) feet in width for one way access.*
- (c) The building is connected to the city sanitary sewer system*
- (d) On corner lots, ground mounted mechanical equipment may be located in a front yard provided such equipment is not less than ten (10) feet from a property line and suitably screened from public view.*
- (e) For applications under this Section 10-G, the requirements of Section 19-3.2(e) shall not apply, provided that: total ground coverage shall not exceed 52.5%; any new parking spaces shall be a minimum of 20 feet away from the longest street frontage and 10 feet away from all other street frontages and residential properties; and not less than 50% of the total perimeter of all buildings shall satisfy the landscape buffer requirement.*

5. Application 214-37 – HUBBARD MANSION, LLC, 111 West North Street,
Special Exception, Final Site & Architectural Plans

After a thorough discussion of the conditions with Mr. Cole, a review of the draft conditions included in the January 29, 2015 correspondence from Mr. Redniss, and consideration of the recommendations from the Historic Preservation Advisory Commission, motion was made by Mr. Morris and seconded by Ms. McManus to approve this application with the following conditions, and the motion was approved 5:0 (Mills, Morris, McManus, Michelson and Stein).

The conditions in the Zoning Certificate will read as follows:

- 1) *The Dormitory use shall be limited to not more than forty (40) students at any time.*
- 2) *There shall be adult/staff supervision at all times that any children/students are on the premises with a minimum ratio of one (1) staff to ten (10) students and a maximum ratio of one (1) staff to four (4) students.*
- 3) *No student resident shall have a vehicle.*
- 4) *The following incidental uses are also approved:*
Limited to weekday hours between 8:30am and 2:30pm:
 - a. *Nursery school for up to 20 children;*
 - b. *Daytime home-school classes for up to 20 children;*
Limited to dormitory students and a maximum of 10 students not living in the onsite dormitory:
 - c. *College preparation courses;*
 - d. *Tutoring; Limited to summer months when the typical school year is not in session;*
 - e. *Summer enrichment program for up to 40 children, inclusive of any children remaining from the primary dormitory use;*
 - f. *Summer artists-in-residence – maximum of 10 people onsite, and does not conflict with (e) above – and artist workshops;*
- 5) *Any other incidental uses not listed in #4 above shall require written request and approval from the Land Use Bureau Chief, or designee, and may require approval by the Zoning Board administratively or pursuant to a noticed public hearing. All requests shall demonstrate that the hours of operation and parking demand do not conflict with other uses and can be accommodated by the 14 onsite parking spaces.*
- 6) *The additional parking area shown on the Potential Parking Expansion Plan dated 12/5/14 is not a part of this application and is not approved.*
- 7) *Exterior changes to the historic portions of the former Hubbard House shall be coordinated with the Historic Preservation Advisory Commission, approved by Zoning Board staff, and shall conform to the Secretary of the Interior's Standards for*

Treatment of Historic Properties (i.e. Preservation, Rehabilitation, Restoration, Reconstruction).

- 8) *Final details of the proposed treatment of the mosaics shall be coordinated with the Historic Preservation Advisory Commission and approved by the Zoning Board.*
- 9) *Any proposed changes to existing site lighting for minimal safety/code requirements shall be approved by Zoning Board staff.*
- 10) *The testing/exercise of any emergency generator shall be limited to weekday hours between 10am and 2pm. Final details of proposed screening shall be approved by Zoning Board staff. The operation of any emergency generator shall be in conformance with the City of Stamford Noise Ordinance.*

6. Application 214-38 – RICHARD W. REDNISS (22 First Corp), Text Change

The Zoning Board discussed this item briefly. Question was raised about the Staff request for changes to the proposed text change.

Mr. Michelson commented that this text would set a separate standard for parking, and Mr. Stein agreed this could be a concern.

The Board decided to carry this text change over to the next meeting to enable the Applicant to work with Staff before an action is taken. This item was tabled.

7. Application 214-33 – HIGH RIDGE REAL ESTATE OWNER, LLC, Text change
8. Application 214-34 – HIGH RIDGE REAL ESTATE OWNER, LLC, 0 Turn of River Road, Final Site & Architectural Plans

There was no discussion since the public hearings for these applications were continued to February 23, 2015.

OLD BUSINESS

Appl. 208-06 Modification – THREE HARBOR POINT SQUARE, LLC, Final Site and Architectural Plans for hotel/residential building identified on the Harbor Point General Development Plan as “Block S3” and originally approved by the Zoning Board on June 2, 2008 (*administrative review of Condition #3*).

Attorney Freeman provided a presentation of this request. The Applicant is asking for an extension of time to construct these restaurants. Mr. Cole reported that the Applicant is seeking approval of a partial CO for the first 5 floors.

Mr. Mills asked if this item could be continued to a future meeting for further discussion. Meanwhile, the Board was comfortable with the issuance of a temporary CO. This item will be continued for further discussion on the March 2nd meeting.

Appl. 210-44 - STAMFORD EXIT 9, LLC, Final Site and Architectural Plans & Requested Uses pursuant to Section 9-BBBB of the Zoning Regulations to establish 417,900 +/- square feet of indoor sports and recreational uses and 81,000 +/- square feet of film production use, by adaptive reuse of the 729,770 square foot Clairol manufacturing plant. The subject property is located at 1 Blachley Road within the M-D Designed Industrial District, comprised of 32.7 acres (*administrative review of proposed signage*).

After a discussion of the proposal by Mr. Mazzeo, Ms. McManus made a motion to approve the signage as presented, seconded by Mr. Stein and the motion was approved 5:0 (Mills, Morris, McManus, Michelson and Stein).

NEW BUSINESS

1. Mr. Stein reported that he had begun to work on a draft regulation for treatment of Medical Marijuana Facilities in Stamford, since the current Moratorium is set to expire in March. He has looked at regulations used in other communities, and he has been reviewing different approaches with Staff.
2. Mr. Michelson asked about the status of the court case over the appeal of the cease and desist order for the boatyard on the 14-acre parcel. Mr. Cole reported that the City's Law Department traditionally handles all legal cases. It was decided that the Board should ask to meet in Executive Session with Corporate Counsel on March 2, 2015.

ADJOURNMENT

Motion was made by Ms. McManus and seconded by Mr. Michelson to adjourn and the motion was approved 5:0 at 11:35 pm, (Mills, Morris, McManus, Michelson and Stein).